

**IN THE UNITED STATES DISTRICT COURT FOR THE  
MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION**

**UNITED STATES OF AMERICA** )  
 )  
**v.** ) **Case No.: 2:07cr12-MEF**  
 )  
**GREGORY LEWIS DAVIS** )

**MOTION TO CONTINUE TRIAL**

**NOW COMES** the Defendant, **GREGORY LEWIS DAVIS**, by Undersigned Counsel, Donnie W. Bethel, pursuant to 18 U.S.C. 3161 §§ (h)(8)(A) and (h)(8)(B), and respectfully moves the Court for an Order continuing this matter from the March trial term. In support of this Motion, the Defendant would show the following:

1. This case is currently scheduled for trial on March 12, 2007.
2. On February 14, 2007, Mr. Davis timely filed a Motion to Suppress Evidence and Statements. An evidentiary hearing will be required to resolve this motion.
3. Undersigned Counsel will be unavailable the week of February 19, 2007, as he will be in Florida all week performing duty for the United States Air Force Reserve. Therefore, a hearing cannot be scheduled until at least the week of February 26, 2007.
4. Mr. Davis anticipates calling several witnesses at the hearing. After a hearing date is set, he will need adequate time to have subpoenas for those witnesses signed and served. Mr. Davis also desires that the Magistrate Judge who will conduct the hearing have sufficient time to give proper consideration to the issues that Mr. Davis intends to contest at the hearing. Further, once the Magistrate Judge makes a ruling on

the Motion to Suppress, Mr. Davis desires that he have sufficient time to discuss with Undersigned Counsel how to next proceed in this case.

5. Mr. Davis does not believe that all these matters can be timely resolved prior to the scheduled trial date of March 12, 2007.

**WHEREFORE**, for the reasons set forth above, the Defendant moves this Court to issue an Order continuing the March 12, 2007, trial date.

Dated this 16th day of February, 2007.

Respectfully submitted,

s/ Donnie W. Bethel  
DONNIE W. BETHEL  
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**CERTIFICATE OF SERVICE**

I hereby certify that on February 16, 2007, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

Verne H. Speirs, Esq.  
Assistant U. S. Attorney  
One Court Square, Suite 201  
Montgomery, AL 36104

Respectfully submitted,

s/ Donnie W. Bethel  
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